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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,806	09/28/2001	Gary B. Cohen	07844-511001 / P460	3111
21876	7590	09/10/2004	EXAMINER	
FISH & RICHARDSON P.C. 3300 DAIN RAUSCHER PLAZA MINNEAPOLIS, MN 55402			INGBERG, TODD D	
			ART UNIT	PAPER NUMBER
			2124	

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,806

Applicant(s)

COHEN ET AL.

Examiner

Todd Ingberg

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-29 and 40 is/are allowed.
- 6) ☒ Claim(s) 1-23 and 30-39 is/are rejected.
- 7) ☒ Claim(s) 24 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/28/2001. ✓
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1 – 40 have been examined.

Drawings

1. The drawings were received on January 18, 2002. These drawings are not accepted.

Figures 3, 6 and 8 contain shaded text which will not print on a patent clearly.

Oath/Declaration

2. It does not state that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56. Applicant has elected to select portions of 37 CFR 1.56. The United States Patent Office does not offer this as an option.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: -----

**“ EXTENSIBLE HELP FACILITY FOR A COMPUTER PROGRAM THAT
DETECTS THE STATE OF A COMPUTER SOFTWARE APPLICATION AND
SELECTIVELY CAUSE AN OPERATION BASED ON AN INTERACTIVE LINK TO
BE PERFORMED BY THE COMPUTER SOFTWARE APPLICATION BASED ON
DETECTED STATE”.**

Information Disclosure Statement

4. The Information Disclosure Statement filed September 28, 2001 has been considered.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. § 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1 – 29 and 40 are rejected under 35 USC 101 for not being concrete and tangible.

The Examiner has provided suggestions to overcome this rejection.

Art Unit: 2124

Claim 1

A method of providing a help facility for a computer software application **stored on a computer readable medium and executing on a computer**, the method comprising: enabling an author to generate one or more help files that specify content to be displayed and at least one interactive link that, when activated, performs an operation in the computer software application associated with the specified content; and enabling the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within a local file structure accessible to the help facility.

Claim 20

A method of providing a help facility for a computer software application **stored on a computer readable medium and executing on a computer**, the method comprising:

enabling a computer software application to record a sequence of one or more user operations performed within the computer software application; and enabling a user to generate one or more help files that specify help content to be presented and at least one interactive link that, when activated, performs the recorded sequence of one or more operations.

Claim 26

A method of controlling a help facility for a computer software application **stored on a computer readable medium and executing on a computer**, the method comprising: enabling a user to generate one or more help files that specify content to be presented and at least one interactive link that, when activated, performs an operation in the computer software application associated with the content; and enabling the help facility to detect a state of the computer software application and to selectively cause the operation to be performed by the computer software application based on the detected state.

Claim 40

An extensible help facility for a computer software application **stored on a computer readable medium and executing on a computer**, the help facility comprising:

a graphical user interface for communicating with a user;
a plurality of help files arranged in a hierarchical file structure; and
one or more software processes configured to perform the following operations:

- (i) enable a user to generate or modify one or more help files that specify content to be displayed and at least one: interactive link that, when activated, performs an operation in the computer software application associated with the specified content;
- (ii) cause the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within the hierarchical file structure; and
- (iii) cause the help facility to detect a state of the computer software application and to selectively cause an operation corresponding to an interactive link to be performed by the computer software application based on the detected state.

Art Unit: 2124

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 – 23, 30 – 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Apple (IDS).

Claim 1

A method of providing a help facility for a computer software application, the method comprising: enabling an author to generate one or more help files that specify content to be displayed and at least one interactive link that, when activated, performs an operation in the computer software application associated with the specified content; and enabling the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within a local file structure accessible to the help facility.

Examiner's Response

Apple anticipates a help facility with the onscreen assistance package to develop and access help files. The ability to generate one or more help files is taught by Chapters 7 and 8 with localization of files and Window help files. And interactive links as provided by buttons (pages 2-70 and 10-57). Operations based on specific content as provided by context sensitive help page 1-7. The predetermined location being provided by page 2-6 to 2-7 where a particular focus and help menu location.

Claim 2

The method of claim 1 further comprising, prior to enabling the help facility to access the generated help file, placing the help file in the predetermined location.

Examiner's Response

The predetermined location being provided by page 2-6 to 2-7 where a particular focus and help menu location.

Claim 3

The method of claim 2 wherein the help file is placed in the predetermined location by the author of the help file.

Examiner's Response

The predetermined location being provided by page 2-6 to 2-7 where a particular focus and help menu location. Also see page 1-4 figure 1-1.

Art Unit: 2124

Claim 4

The method of claim 2 wherein the help file is placed in the predetermined location automatically by a software process.

Examiner's Response

The predetermined location being provided by page 2-6 to 2-7 where a particular focus and help menu location.

Claim 5

The method of claim 1 further comprising retrieving the generated one or more help files from an external source.

Examiner's Response

Chapter 8 is dedicated to converting Windows Help Files which are external into the Help facility.

Claim 7

The method of claim 1 wherein enabling the help facility to access the one or more help files comprises displaying the one or more help files as a help page in the help facility.

Examiner's Response

As per claim 1.

Claim 8

The method of claim 1 wherein enabling the help facility to access the generated one or more help files comprises causing the help facility to traverse the local file structure: to identify existing help files.

Examiner's Response

Interpreted to be a read operation of the files stored on disk as the Apple reference teaches in chapters 2, and 4 and 5

Claim 9

The method of claim 8 wherein the help facility dynamically generates a listing of available help topics based on help files identified during traversal.

Examiner's Response

A like Table of Content feature on page 1-11 to 1-12.

Claim 10

The method of claim 8 wherein the help facility dynamically generates a table of contents file based on help files identified during traversal.

Examiner's Response

A like Table of Content feature on page 1-11 to 1-12.

Art Unit: 2124

Claim 11

The method of claim 1 wherein the help facility is caused to detect the existence of one or more help files in response to a user action.

Examiner's Response

Depressing the button of claim 1.

Claim 12

The method of claim 1 wherein the help facility is caused to detect the existence of one or more help files automatically.

Examiner's Response

Apple, pages 2-48, navigation

Claim 13

The method of claim 1 wherein enabling an author to generate one or more help files comprises enabling the: author to record a sequence of one or more user activities performed in the computer software application.

Examiner's Response

Apple, panels from 2-35 to 2-65

Claim 14

The method of claim 1 wherein the interactive link comprises a hyperlink, a hotspot **or** a graphical button.

Examiner's Response

Apple pages 10-60 to 10-64 Button (Examiner elected to select the button after the OR to respond to).

Claim 15

The method of claim 1 wherein the operation in the computer software application associated with the interactive link comprises an atomic step of a complex operation.

Examiner's Response

Apple, page 10-172, content-check is an atomic step. Complex operation is open for interpretation.

Claim 16

The method of claim 1 wherein the operation in the computer software application associated with the interactive link comprises a plurality of steps associated with a complex operation.

Examiner's Response

As per claim 1.

Art Unit: 2124

Claim 17

The method of claim 1 wherein the operation in the computer software application associated with the interactive link corresponds to a menu item in a graphical user interface of the computer software application.

Examiner's Response

by page 2-6 to 2-7 where a particular focus and help menu location.

Claim 18

The method of claim 1. wherein the operation in the computer software application associated with the interactive link corresponds to an operation available through an application program interface of the computer software application.

Examiner's Response

As per claim 1 (button). Also Hot Text Object page 2-77

Claim 19

The method of claim 1 wherein enabling the author to generate one or more help files comprises providing a markup language extension that enables an activity in the computer software application to be performed indirectly.

Examiner's Response

As per claim 1. Also Hot Text Object page 2-77

Claim 39

The instructions of claim 1 wherein the instructions to enable an author to generate one or more help files comprise instructions to enable the author to record a sequence of one or more user activities performed in the computer software application.

Examiner's Response

As per claim 1. And context checks page 10-172.

Claim 20

A method of providing a help facility for a computer software application, the method comprising: enabling a computer software application to record a sequence of one or more user operations performed within the computer software application; and enabling a user to generate one or more help files that specify help content to be presented and at least one interactive link that, when activated, performs the recorded sequence of one or more operations.

Examiner's Response

As per claim 1 and Transition Panel page 2-56.

Claim 21

The method of claim 20 further comprising enabling the generated one or more help files to be displayed as a help page in the help facility.

Examiner's Response

As per claim 1. Build the files to display them.

Art Unit: 2124

Claim 22

The method of claim 2:1 further comprising enabling the help facility, while executing, to access the generated one or more help files upon detecting that the one or more files exist in a predetermined location within a local file structure accessible to the help facility.

Examiner's Response

As per claim 1 and specifically chapter 7.

Claim 23

The method of claim 21 further comprising, in response to user input, selectively performing the one or more operations based on a state of the computer application.

Examiner's Response

As per claim 1. And context checks page 10-172.

Claim 30

Machine-readable instructions, embodied in a tangible medium or a propagated signal or both, for causing the machine to perform operations comprising: enable an author to generate one or more help files for a help facility of a computer software application, the one or more help files specifying content to be displayed and at least one interactive link that, when activated, performs an operation in the computer software application associated with the specified content; and enable the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within a local file structure accessible to the help facility.

Examiner's Response

As per claim 1.

Claim 31

The instructions of claim 30 further comprising instructions to automatically place the help file in the predetermined location.

Examiner's Response

As per claim 1.

Claim 32

The instructions of claim 30 further comprising instructions to retrieve the generated one or more help files from an external source.

Examiner's Response

As per claim 5.

Claim 33

The instructions of claim 32 further comprising instructions to display the one or more help files as a help page in the help facility.

Examiner's Response

As per claim 21.

Art Unit: 2124

Claim 34

The instructions of claim 30 wherein the instructions to enable the help facility to access the generated one or more help files comprise instructions to cause the help facility to traverse the local file structure to identify existing help files.

Examiner's Response

As per claim 8.

Claim 35

The instructions of claim 34 further comprising instructions to dynamically generate a listing of available help topics based on help files identified during traversal.

Examiner's Response

As per claim 9.

Claim 36

The instructions of claim 34 further comprising instructions to dynamically generate a table of contents file based on help files identified during traversal.

Examiner's Response

As per claim 10.

Claim 37

The instructions of claim 30 further comprising instructions to cause the help facility to detect the existence of one or more help files in response to a user action.

Examiner's Response

As per claim 11.

Claim 38

The instructions of claim 30 further comprising instructions to cause the help facility to detect the existence of one or more help files automatically.

Examiner's Response

As per claim 12.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2124

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Apple in View of Content and Orientation in Hypermedia Networks, Kenneth **Utting** published in 1989.

Claim 6

The method of claim 1 wherein the external source comprises a remote resource on a network.

Examiner's Response

Apple teaches the use of Windows Help Files but Apple does not explicitly state the files could reside on a remote resource on a network. Utting teaches a networked environment to help users in a networked environment. Therefore, it would have been obvious to combine Apple with Utting, because "The core of hypermedia's power lies in the complex networks of links that can be created within and between documents". (Utting, first sentence)

Allowable Subject Matter

11. Claims 26 – 29 and 40 are allowed.

Art Unit: 2124

Claims 26 – 29 and 40 allowed because in reviewing the prior art of record the ability to build help system both passive and interactive was common. The ability to integrate these types of systems into an application was also found to be well dated technology. These well known help facilities are informative and provide information on topics. They provide a “What is This ?” , help feature. Tutorials are also well documented and embedded in the prior art of record. The ability to have artificial intelligence to guide one through complex decision making was present. Context sensitive help was also present where the location in the code triggered help. But the prior art when taken singularly or in combination failed to disclose “ the help facility to detect a state of the computer software application and to selectively cause an operation corresponding to an interactive link to be performed by the computer software application based on the detected state”. This interactive link to the application with in a help system which causes specific operations corresponding to the computer application based on the detection of the state was found to be non obvious and/or novel.

Prior art such as Visual Basic has **built in help routines** for detecting the coding of programs this is not part of a **user defined extensible help feature** (instant application) as supported by the surrounding limitations to the allowed independent claims. These limitations help distinguish the prior art over the prior art.

Art Unit: 2124

Claim 26

A method of controlling a help facility for a computer software application, the method comprising: enabling a user to generate one or more help files that specify content to be presented and at least one interactive link that, when activated, performs an operation in the computer software application associated with the content; and enabling the help facility to detect a state of the computer software application and to selectively cause the operation to be performed by the computer software application based on the detected state.

Claim 27

The method of claim 26 wherein enabling the user to generate help files comprises enabling the computer software application to record a sequence of one or more user operations performed within the computer software application.

Claim 28

The method of claim 26 wherein the help facility refrains from causing the operation to be performed if the computer software application is in improper state for performing the operation.

Claim 29

The method of claim 28 further comprising informing the user of one or steps to undertake to place the computer software application in a proper state to perform the operation..

Claim 40

An extensible help facility for a computer software application, the help facility comprising:
a graphical user interface for communicating with a user;
a plurality of help files arranged in a hierarchical file structure; and
one or more software processes configured to perform the following operations:

- (i) enable a user to generate or modify one or more help files that specify content to be displayed and at least one: interactive link that, when activated, performs an operation in the computer software application associated with the specified content;
- (ii) cause the help facility, while executing, to access the generated one or more help files upon detecting that the one or more help files exist in a predetermined location within the hierarchical file structure; and
- (iii) cause the help facility to detect a state of the computer software application and to selectively cause an operation corresponding to an interactive link to be performed by the computer software application based on the detected state.

Art Unit: 2124

12. Claims 23 – 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 24

The method of claim 23 wherein selectively performing the one or more operations comprises refraining from attempting to perform an operation if the computer software application is in an improper state for performing the operation.

Claim 25

The method of claim 24 further comprising informing the user of one or steps to undertake to place the computer software application in a proper state to perform the operation..

Correspondence Information

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Todd Ingberg** whose telephone number is (703) 305-9775.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Kakali Chaki** can be reached on (703) 305-9662. Please, note that as of August 4, 2003 the **FAX number** changed for the organization where this application or proceeding is assigned is (703) 872-9306.

Also, be advised the United States Patent Office **new address** is

Post Office Box 1450

Alexandria, Virginia 22313-1450

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9700.

Art Unit: 2124

Special Notice

14. Please, Note the Examiner's telephone number will change in October when the Art Unit moves to the new location. The Examiner's new telephone number will be as follows:

(571) 272-3723

A handwritten signature in black ink, appearing to read 'Todd Ingberg', with a long, sweeping horizontal line extending to the right.

Todd Ingberg
Primary Examiner
Art Unit 2124
September 7, 2004